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*By ECFS*

March 22, 2011

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *Petition of Telecordia Techs. Inc.*, WC Docket No. 09-109,  
*Telephone Number Portability*, CC Docket No. 95-116

Dear Secretary Dortch:

The Massachusetts Department of Telecommunications and Cable ("MDTC")<sup>1</sup> respectfully submits this letter as comments pursuant to the Order and Request for Comment ("*Comment Request*"), released on March 8, 2011, by the Federal Communications Commission ("FCC"), in the above-captioned proceeding.<sup>2</sup> In the *Comment Request*, the FCC seeks comment on the process to be used by the North American Numbering Council ("NANC") and the North American Portability Management LLC ("NAPM") in selecting the next local number portability administrator ("LNPA") and, in particular, on a proposal by the NANC Chair and the NAPM regarding their respective roles in the LNPA selection process.<sup>3</sup>

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<sup>1</sup> The MDTC is the exclusive state regulator of telecommunications and cable services within the Commonwealth of Massachusetts. G. L. c. 25C, § 1.

<sup>2</sup> *Comment Request*, at ¶ 1.

<sup>3</sup> *Id.*

As an initial matter, the MDTC applauds the FCC, NANC, and the NAPM for their efforts to ensure that the LNPA selection process remains sufficient and open. The MDTC concurs with the FCC that the Number Portability Administration Center (“NPAC”) has become a critical component of the telecommunications industry’s infrastructure. Therefore, it is important that the LNPA selection process remain sufficient and open.

The MDTC supports the NANC/NAPM Consensus Proposal for Clarification of the FCC’s Rules Regarding the LNPA Selection Process, filed February 14, 2011 (“NANC/NAPM Consensus Proposal”),<sup>4</sup> which is included as Attachment A to the *Comment Request*. Importantly, the MDTC believes that the FCC’s delegation of its authority to the NANC, working in consultation with NAPM, to implement the selection process is appropriate and well-advised as the NANC’s purpose is to foster efficient and impartial number administration.<sup>5</sup>

As further comment, the MDTC respectfully seeks clarification from the FCC regarding its direction to the NANC regarding the selection process. In its *Comment Request*, the FCC states that “we direct the NANC, with assistance from the NAPM, to develop and recommend a selection process, including designing a Request for Qualifications and selection criteria to facilitate competitive bids.”<sup>6</sup> It is the MDTC’s understanding that the NANC will appoint a LNPA Selection Working Group (“SWG”) to oversee the selection process, which will in turn reach consensus with respect to the Request for Information (“RFI”) that will be developed by the Future of the NPAC Subcommittee (“FoNPAC Subcommittee”) and, after the FoNPAC Subcommittee receives responses to the RFI, it will draft an outline for the Request for Proposal, including the vendor qualifications selection criteria, for review and approval by the SWG.<sup>7</sup> The MDTC believes that the “Request for Qualifications” is interchangeable with RFI, but requests FCC clarification.

Finally, the MDTC seeks clarification from the FCC regarding its direction that “the NANC/NAPM must submit progress reports pertaining to the issue of the RFI, **the Technical Requirements Document (TRD)**, and the RFP, including evaluation criteria.”<sup>8</sup> The term

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<sup>4</sup> The MDTC notes that the NANC/NAPM Proposal was adopted by the full NANC at its regular meeting on March 9, 2011.

<sup>5</sup> Charter for the N. Am. Numbering Council, *available at* FCC Announces GSA’s Approval of the Renewal of the N. Am. Numbering Council Charter Through Sept. 25, 2011, at ¶ 3, FCC CC Docket No. 92-237 (rel Oct. 16, 2009).

<sup>6</sup> *Comment Request*, at ¶ 5.

<sup>7</sup> NANC/NAPM Consensus Proposal, at §§ 2 and 5.

<sup>8</sup> *Comment Request*, at ¶ 8.

“Technical Requirements Document” was not used in the NANC/NAPM Consensus Proposal and was not otherwise defined or referenced in the *Comment Request*.

The MDTC thanks the FCC for this opportunity to comment.

Sincerely,

/s/ Geoffrey G. Why

Geoffrey G. Why, Commissioner  
Massachusetts Dept. of Telecommunications  
and Cable